



PLANNING POLICIES

**PLANNING APPLICATION FOR A REPLACEMENT
HOUSE AND ANCILLARY BUILDINGS
AT
NORTHSHORE, 40 SINAH LANE, HAYLING ISLAND,
PO11 0HH**

DAVID NORRIS BA(Hons.) BTP, MRTPI

ADN Planning Ltd

8 Kerria Way, West End, Woking, Surrey GU24 9XA

Mobile: 07503 745 077 **Email:** dnorrisadnplanningltd@gmail.com

- 1.1** The basis on which planning applications are to be determined is set out in S.38 (6) of the Planning and Compulsory Purchase Act 2004, which requires,
- “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*
- 1.2** The Development Plan, for the purposes of the determination of this application is the Havant Core Strategy and the Local Plan (Allocations). In addition, the Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30th January 2019 and therefore carries some weight in the determination of planning applications.

National Planning Policy Framework (2018)

- 1.3** The National Planning Policy Framework (NPPF) was published in July 2018.
- 1.4** The NPPF states that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise (Paragraph 2). Consequently, the starting point in the assessment of a planning application is the Development Plan, and the NPPF states that development that accords with an up to date Local Plan should be permitted without delay (paragraph 11).
- 1.5** Paragraphs 7 and 8 of the NPPF state that there are three dimensions to sustainable development with these being economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways.
- 1.6** Chapter 10 deals with climate change, and at paragraph 96 states that local planning authorities should expect new development to comply with adopted local plan policy on local requirements for decentralised energy supply unless it can be demonstrated by the applicant that it is not feasible or viable. It should also take account of landform, layout, building orientation, massing, and landscaping to minimise energy consumption.

1.7 Paragraph 154 states that when determining planning applications, local planning authorities should:

a) Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting green house gas emissions.

b) Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications commercial scale projects outside these areas to demonstrate that proposed location meets the criteria used in identifying suitable areas.

1.8 Chapter 12 is entitled Achieving Well-Designed Places and states at paragraph 127 that planning policies and decisions should ensure that developments:

a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

1.9 Chapter 12 deals with design and at paragraph 131 states:

“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”

1.10 Chapter 12 (Conserving and Enhancing the Historic Environment) states at paragraph 200:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

Havant Core Strategy and Local Plan (Allocations).

1.11 The following policies in the adopted Local Plan are relevant to this application:

- CS11 – Protecting and Enhancing the Special Environment and Heritage;
- CS16 – High Quality Development;
- CS17/AL2 – Development in the Urban Area;
- DM8 – Conservation, Protection and Enhancement of Existing Natural Features;
- DM9 - Development in the Coastal Zone;
- DM13 and DM14 – Car and Cycle Parking on Development

Pre-Submission Plan

1.12 In the pre-submission Plan, the following policies are considered to be relevant.

- IN3 – Transport and Parking in New Development;
- E1- High Quality Design;
- E3 – Landscape and Settlement Boundaries;

- E16- Solent Special Protection Areas;
- H1 - High Quality New Homes

Havant Supplementary Planning Documents (SPD's)

1.13 The following SPD's are considered to be relevant:

- Parking SPD;
- Design Guide SPD

Principle of Development.

2.1 The proposal is for a replacement house and ancillary buildings that will all sit broadly on the footprint of the existing structures. They are located on an existing residential plot, on a brownfield site and within a residential area. As such there is no in principle objection to the proposal.

Impact upon the Character of the Area

2.2 Policy CS 16 of the Havant Borough Local Plan requires that development is of a high standard and amongst other requirements states: *“Uses the characteristics of the locality to help to inform the design of the new developments including heights, massing, existing building lines, plot width and depths, materials and proportions of windows and doors”*. Such advice is also replicated in the NPPF

2.3 The replacement dwelling as previously stated will sit broadly on the footprint of the existing. It will be rotated a few degrees clockwise and shifted north by approximately 3 metres and will be set off the eastern and western boundary by just over 5 metres. The new building will be over 80 metres to its northern boundary with the shoreline. Importantly, the replacement house will follow the flat roofed contemporary design of the existing building utilising similar materials. It will therefore help to preserve the

character of a small cluster of dwellings which as well as the application property also includes No.40a, 42 and 44 Sinah Lane. No.42 and 44 are Grade II listed building. Other dwellings in the immediate locality are of a more traditional design, but there is no overall defining architectural style or age that characterises the area

- 2.4** The new house will be marginally greater in height than the existing and its western wing will be slightly larger than the existing building. However, its overall design, bulk and massing will not be significantly different from the current dwelling. Whilst the new building will be visible from Langstone Harbour to the north, the 80metre set back will, as with the existing dwelling, reduce any visual impact from this direction. Furthermore, the generous set back of the house from Sinah Lane, accessed via new double gates will ensure that the limited view of the existing dwelling from the highway will not be materially different in relation to the new house.
- 2.5** The proposed annexe will be on a similar footprint to the existing building, extending slightly to the north and the replacement garage and guest accommodation does not depart significantly from what was approved under LPA reference APP/18/00360. The new garden pavilion at the northern end of the site and close to the foreshore will also replace an existing building in that location. It will be slightly bigger than the structure it replaces and closer to a preserved tree. Any slight impact on this tree can be mitigated through hand digging initially and piling. These measures can be secured through an appropriately worded condition. Both buildings will provide accommodation that is ancillary to the residential use of the house.
- 2.6** Given that it is not considered that the proposed house will depart materially in its size, design and materials from the existing house, it is considered that it will be in keeping with the area and together with the annex and pavilion building be in keeping with the design and styles that prevails in the locality.

Residential Amenity

- 2.7** The existing building is predominantly two storeys but includes a room on the second floor, with balconies to both the northern and southern elevations. This layout will be repeated in the new building and consequently there will be no material change in relation to physical change in relation to physical impact and overlooking on the amenity of the adjoining properties than currently exists.
- 2.8** The adjoining properties comprise No. 38 Sinah Lane, which is located to the east of the proposed house, whilst No.40a and No 40 Sinah Lane are sited to the south. The re-orientation of the house will move it further away from the latter two properties and as such the degree of overlooking currently experienced by the latter two properties would be reduced. The closest distance between the properties is however 50 metres (No.40a) and 60 metres (No.42).
- 2.9** The garage annexe building will be very similar to the application approved by the Council under LPA reference APP/18/00646. The Planning Officer in her report on this application stated:
- “It is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite to or to the rear”*
- 2.10** A single storey dwelling was approved in the rear garden of No.42 Sinah Lane (LPA reference APP/16/60383). The house to date has not been built but nevertheless account has to be had to it in any assessment of the proposal. Whilst the proposed house is slightly closer to this house than the existing there is still a distance of 25 metres from the first - floor window with intervening vegetation and 35 metres from the north facing balcony. It is considered that there will no material increase in physical impact and privacy from that currently experienced in the existing property.
- 2.11** The pavilion building is located close to the foreshore on the northern boundary of the site and its size and location will have no adverse impact upon residential amenity.
- 2.12** The proposed replacement building would not appear overbearing or lead to significant overlooking on the properties immediately adjacent to the applications site

and the properties to the rear in terms of residential amenity over and above what currently exists. It therefore complies with the requirements of Policy CS16 of the Local Plan and emerging policies.

Highways and Parking

- 2.13** Access to the site is from the existing driveway that runs to the east of 40a Sinah Lane. New entrance gates to replace the existing are proposed on the road frontage and additional landscaping either side of the driveway. One car space will be provided within the garage and there is ample additional space for cars to park on one side of the long access driveway and a turning area in front of the house. As such the proposal will meet the minimum 3 car space requirement as set out in the Havant's Parking Supplementary Planning Document. The proposal is therefore in accordance with this SPD and Policy DM13 of the Local Plan and emerging policy.

Ecology

- 2.14** Paragraph 175(d) of the NPPF states that *“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”*. An ecological Appraisal Report of the site has been prepared by Hampshire Ecological Services Ltd. The report finds that the three main buildings on the site (the main house, annexe/garage and summer house) have all negligible bat roost suitability. In addition, the majority of the trees on the site were also identified as having negligible suitability. Two mature trees were identified as having features such as broken limbs and crevices that could be used for roosting bats. The two trees a Silver Birch and a Pendunculate Oak are not directly affected by the proposals
- 2.15** The report identifies a number of enhancements which could be conditioned via a biodiversity mitigation and management plan. Examples of these are set out in the report and include directional lighting away from retained and proposed vegetation areas and the introduction of bat and bird boxes on the building. In addition, the

applicant is providing a wildlife pond in the courtyard, a habitat log pile and a wildlife meadow in the rear garden together with green nature roofs. The applicant would be happy to accept a condition requiring the preparation of a Construction Environmental Management Plan (CEMP) in order to be able to demonstrate how the development will be constructed with the minimal impact upon the ecology of the site.

- 2.16** The report identifies three internationally statutory designated sites within 5km of the site, and two nationally and county designated sites within 2km of the site. None of these sites will be directly affected by this (small scale) development.
- 2.17** The Ecological Appraisal Report demonstrates that not only will the proposed development not result in a loss of ecology to the site, but further with introductory measures, sought by condition, the proposal will improve the wildlife and Ecology of the site.

Flooding

- 2.18** The Environment Agency's flood maps show that the site falls within Flood Zone 1 and as such a one to one replacement dwelling is not considered to be a vulnerable development and a flood risk assessment is not required as it will not increase flooding on the site or elsewhere. The Environment Agency maps also show that the site is in a low risk area for surface water. As such the proposal does not conflict with Policy CS15 of the Core Strategy

Sustainability

- 2.19** Sustainability is at the heart of the NPPF with paragraph 7 of the document stating that *"the purpose of the planning system is to contribute to the achievement of sustainable development"*. The environmental objective of sustainable development is to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Policy CS14

of the Core Strategy sets out standards which it seeks to achieve in all development. These include meeting Level 3 of the Code for Sustainable Homes and particular attention to be paid to water efficiency measures.

2.20 BBH (Energy strategies) have prepared an Energy report which accompanies the application. The report identifies the preferred options for the site as being ground source heat pump technology. Ground-source systems, once deployed, leave no visible surface trace, thus minimising the visual impact of the surrounding environment. Being silent, they also have no audible impact on the environment. Photovoltaics will also be utilised on the building in order to further reduce carbon emissions. The annual carbon potential reduction is calculated at 69%.

2.21 Importantly, the report concludes that it is *“evidential that the replacement dwelling provides an opportunity for emissions reduction that is highly compelling and which would be impossible to match through improvements to the existing dwelling”*. The report further states that *“It should also be noted that continued decarbonisation of the national grid will result in the replacement dwelling being close to carbon neutral by 2050, when HM Treasury Red Book and National Grid Future Energy Scenarios forecasts show the national grid reaching effective zero emissions”*.

2.22 It is clear from the foregoing that the proposal will be in full compliance with the NPPF and Core Strategy for carbon reductions to be made on new developments. Further, it makes a compelling case for the advantages that can be achieved in the new dwelling in terms of sustainability that cannot be gained by retaining the existing building.